

CAUSE NO. _____

DANIELA CALDERON
Plaintiff,

IN THE DISTRICT COURT

v.

----- **JUDICIAL DISTRICT**

NUMBER ONE EXPEDITE LEASING,
INC. AND JOSE LUIS MORALES
MACIAS,
Defendants.

EL PASO COUNTY, TEXAS

PLAINTIFFS' ORIGINAL PETITION

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, **DANIELA CALDERON**, Plaintiff, and files this, her Original Petition, complaining of Defendants, **NUMBER ONE EXPEDITE LEASING, INC. AND JOSE LUIS MORALES MACIAS**, and would show unto the Court as follows:

I. SELECTION OF DISCOVERY LEVEL

Discovery in this case is intended to be conducted under Level 2 of Rule 190 of the Texas Rules of Civil Procedure.

II. JURISDICTION & VENUE

This suit is brought in accordance with the laws of the State of Texas, for the recovery of damages which are within the jurisdictional limits of this Court, to which Plaintiffs are entitled to receive as compensation for the injuries described below. The Court has continuing jurisdiction over Defendants because Defendants committed a tort in whole or in part in the State of Texas. Pursuant to Rule 47 of the Texas Rules of Civil Procedure, Plaintiffs' counsel states that damages are within the jurisdictional limits of

PLAINTIFFS' ORIGINAL PETITION



this Court. Further, as required by Rule 47(b), Texas Rules of Civil Procedure, Plaintiffs' counsel states that the damages, harms and losses sought by Plaintiffs are in an amount within the jurisdictional limits of this Court. Plaintiffs' counsel is required by Rule 47(c) of the Texas Rules of Civil Procedure to state the amount of damages, in dollar amount, that represent Plaintiffs' harms and losses suffered due to the negligence of the Defendant. The legislative history of this requirement indicates that it is for record keeping and statistical purposes only for lawsuits filed in the State of Texas.

At this time, no discovery has been conducted and Plaintiffs' assertion is made upon knowledge and belief at the time of filing and reserves the right to amend as more information and discovery becomes available. Plaintiffs' counsel states that Plaintiff seeks monetary relief over \$250,000 but not more than \$1,000,000. The amount of monetary relief actually assessed by the jury or judge, however, will ultimately be determined by a jury or judge after hearing all of the evidence of harms, damages and losses and Plaintiffs implicitly trust the judgment of the good and fair judge or jury as the representatives of our community. Ultimately, Plaintiffs will ask a judge or jury of Plaintiffs' peers to assess a fair and reasonable amount of money damages as compensation for Plaintiffs' injuries.

Pursuant to Texas Civil Practices and Remedies Code § 15.002, *et seq.*, venue is proper in EL PASO COUNTY, Texas. EL PASO COUNTY, Texas, is the county where the collision occurred and all or a substantial part of the events or omissions giving rise to the claim occurred.

The Court has continuing jurisdiction over Defendant, JOSE LUIS

MORALES MACIAS, because Defendant committed a tort in whole or in part in the State of Texas. This Court has continuing jurisdiction over Defendant, NUMBER ONE EXPEDITE LEASING, INC, because it is a foreign corporation that regularly conducts business in the State of Texas. The Court has jurisdiction over subject matter because the damages are within the statutory jurisdictional limits of the Court.

III. PARTIES

Plaintiff is an individual who resides in EL PASO COUNTY, Texas.

Defendant, JOSE LUIS MORALES MACIAS, is an individual whose last known address is Revolucion, Col., Centenario Ave., Juarez, Mexico 32663. Pursuant to Tex. Civ. Prac. & Rem. Code Chap. 17, Subchapter D, service of process may be obtained on Defendant by serving two (2) copies of this pleading and the citation, issued in the name of the Defendant, JOSE LUIS MORALES MACIAS, with the Chair of the Texas Transportation Commission listed as the Agent of Service:

Bruce Bugg, Jr., Chairman
Texas Transportation Commission
125 E. 11th Street
Austin, Texas 78701-2483

Upon information and belief available to Plaintiffs at this time, Defendant, NUMBER ONE EXPEDITE LEASING, INC is, and at all relevant times has been, a cargo center and transportation company, with its home office at Ejido el Vergel No. 1128, El Papalote, Juarez, Chihuahua, 32599, Mexico, that regularly engages in business in Texas. Defendant, NUMBER ONE EXPEDITE LEASING, INC, can be served through it's registered agent, Carlos Alberto Noe, at 1410 Gail Borden, Suite B4, El Paso, Texas 79935.

As to the Defendant that is an entity (partnerships, unincorporated associations, incorporated associations, or other entities), or individuals doing business under an assumed name, Plaintiffs bring this suit in said Defendant's partnership, assumed or common name under Rule 28 of the Texas Rules of Civil Procedure. Pursuant to Rule 28 of the Texas Rules of Civil Procedure, Plaintiffs reserve the right to substitute the true name of said Defendant at a later time.

IV. FACTS

On or about February 10, 2021, Plaintiff, DANIELA CALDERON and Defendant, JOSE LUIS MORALES MACIAS, were involved in a vehicular collision in El Paso, El Paso County, Texas. At the time of the collision Defendant, JOSE LUIS MORALES MACIAS, was operating a tractor trailer owned by Defendant, NUMBER ONE EXPEDITE LEASING, INC, while within the course and scope of his employment. Plaintiff was the restrained operator and passengers of a motor vehicle traveling eastbound on Pan American Drive in a safe and prudent manner. Defendant, JOSE LUIS MORALES MACIAS, who was also traveling eastbound on Pan American Drive while operating a tractor trailer, failed to yield right-of-way, failed to make a safe turn and collided with Plaintiff's motor vehicle. As a result of the impact, Plaintiffs suffered severe bodily injuries and other damages complained of herein.

V. NEGLIGENCE

At the time of the accident, Defendant was operating his vehicle in a negligent manner. Specifically, Defendant had a duty to exercise ordinary care and operate his vehicle reasonably and prudently. The collision and the injuries of the Plaintiffs were proximately caused by Defendant's negligent,

careless, and reckless disregard of his duty to Plaintiffs, including the following acts and omissions:

- i. Defendant failed to keep a proper lookout for the Plaintiffs' safety that would have been maintained by a person of ordinary prudence under the same or similar circumstances;
- ii. Defendant failed to timely apply the brakes of his vehicle in order to avoid the collision in question;
- iii. Defendant failed to turn his vehicle to the left or right in order to avoid the collision in question;
- iv. Defendant was operating his motor vehicle at a rate of speed which was greater than that would have been operated by a person of ordinary prudence under the same or similar circumstances;
- v. Defendant failed to take proper evasive action that would have been taken by a person of ordinary prudence under the same or similar circumstances;
- vi. Defendant failed to remain reasonably attentive to the traffic and other conditions existing on the roadway as a reasonably prudent person would have been under the same or similar circumstances;
- vii. Defendant failed to maintain a clear and reasonable distance between other motor vehicle and Defendant's motor vehicle which would permit Defendant to bring his motor vehicle to a safe stop without colliding into other motor vehicles;
- viii. Defendant failed to sound his horn;
- ix. Defendant failed in his inattention to the operation of the vehicle;
- x. Defendant failed in complying with applicable official traffic-control devices in violation of Texas Transportation Code Sec. 544.004;
- xi. Defendant failed in his inattention to road signs and traffic lights;
- xii. Defendant failed to maintain all lamps operable at all times, including tail lamps used to designate the rear of a motor

vehicle;

- xiii. Defendant was using a cellular phone at the time of collision;
- xiv. Defendant was fatigued or driving in violation of his hours-of service regulations;
- xv. Defendant was medically unfit to operate a motor vehicle.
- xvi. Defendant failed to yield right-of-way;
- xvii. Defendant made an unsafe turn.

Each of the foregoing acts and omissions, either taken singularly or in combination with others, constituted negligence which proximately and directly caused the collision and Plaintiffs' injuries and damages.

VI. RESPONDEAT SUPERIOR

Defendant, NUMBER ONE EXPEDITE LEASING, INC, was incorporated at the time of the collision, and Plaintiff pleads that at the time of the accident, Defendant, JOSE LUIS MORALES MACIAS, was the agent, servant, and employee of Defendant, NUMBER ONE EXPEDITE LEASING, INC, and was acting within the scope of his authority as such agent, servant, and employee. Defendant, NUMBER ONE EXPEDITE LEASING, INC, is liable to Plaintiff for the negligence of Defendant, JOSE LUIS MORALES MACIAS, under the common law doctrine of respondeat superior.

VII. NEGLIGENT ENTRUSTMENT

At the time of the accident, Defendant, JOSE LUIS MORALES MACIAS, was operating his vehicle in a negligent manner and it appears Defendant, JOSE LUIS MORALES MACIAS, may have been fatigued or driving in violation of the hours-of-service regulations. It further appears that Defendant, NUMBER ONE

EXPEDITE LEASING, INC., may have been negligent in its entrustment of a motor vehicle to Defendant, JOSE LUIS MORALES MACIAS. The collision and the injuries of the Plaintiffs were proximately caused by Defendant's negligent, careless, and reckless disregard of his duty to Plaintiffs, including the following acts and omissions:

- i. Defendant failed to properly qualify and train JOSE LUIS MORALES MACIAS;
- ii. Defendant failed to hire a qualified driver, JOSE LUIS MORALES MACIAS;
- iii. Defendant failed to properly supervise JOSE LUIS MORALES MACIAS;
- iv. Defendant retained driver, JOSE LUIS MORALES MACIAS, after Defendant learned JOSE LUIS MORALES MACIAS was unfit for his position; and
- v. Defendant failed to properly train JOSE LUIS MORALES MACIAS.

Each of the foregoing acts and omissions, either taken singularly or in combination with others, constituted negligence, which proximately and directly caused the collision and Plaintiffs' injuries and damages.

The conduct of Defendant when viewed objectively, involved an extreme degree of risk, considering the probability and magnitude of the potential harm to others, and of which the Defendant had actual, subjective awareness of the risk involved, but nevertheless proceeded with conscious indifference to the rights, safety and welfare of others, specifically including Plaintiff.

VIII. DAMAGES

As a proximate result of Defendant's negligence, Plaintiffs suffered severe injuries. Plaintiffs suffered the following damages:

- i. Medical and healthcare expenses incurred in the past;
- ii. Medical and healthcare expenses which, in all reasonable probability, will be incurred in the future;
- iii. Physical pain and suffering in the past;
- iv. Physical pain and suffering which, in all reasonable probability, will be incurred in the future;
- v. Mental anguish suffered in the past;
- vi. Mental anguish which, in all reasonable probability will be suffered in the future;
- vii. Physical impairment suffered in the past;
- viii. Physical impairment which, in all reasonable probability, will be suffered in the future;
- ix. Lost wages suffered in the past; and
- x. Lost wages and earning capacity which, in all reasonable probability will be suffered in the future.

Each of the foregoing acts and omissions, either taken singularly or in combination with others, constituted negligence, which proximately and directly caused the collision and Plaintiffs' injuries and damages.

IX. CONDITIONS PRECEDENT

Pursuant to Rule 54 of the Texas Rules of Civil Procedure, Plaintiffs hereby allege all conditions precedent have been performed or have occurred.

X. U. S. LIFE TABLES

Notice is hereby given that Plaintiffs intend to use the U.S. Life Tables as prepared by the Department of Health and Human Services.

XI. COSTS AND INTEREST

It was necessary for Plaintiffs to expend money as costs of Court requisite to prosecute this cause of action. Therefore, an award of these costs

to Plaintiffs is authorized by Rule 131 of the Texas Rules of Civil Procedure. Plaintiffs are also entitled to prejudgment and post-judgment interests as allowed by law.

XII. REQUESTS FOR INITIAL DISCLOSURES

Pursuant to Rule 194, you are requested to disclose, within thirty (30) days from the date of filing your original answer the information described in Rule 194.2.

XIII. PLAINTIFFS' T.R.C.P. 193.7 NOTICE

Plaintiffs, in accordance with Rule 193.7 of the Texas Rules of Civil Procedure regarding self-authenticating documents, files this notice of intent to use written discovery documents at trial and/or any pre-trial proceedings. Plaintiffs hereby give notice to all parties that Plaintiffs intend to use at trial, or at any pre-trial proceedings, all documents produced by Defendants in response to discovery from any and all parties in this cause.

XIV. REQUESTS FOR DISCLOSURE

Pursuant to Rule 194, you are requested to disclose, within thirty (30) days from the date of filing your original answer the information described in Rule 194.2.

XV. JURY DEMAND

Pursuant to Rule 216 of the Texas Rules of Civil Procedure, Plaintiffs hereby makes demand and application for jury trial.

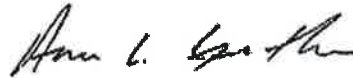
XVI. PRAYER

WHEREFORE, PREMISES CONSIDERED, Plaintiff, **DANIELA CALDERON**, respectfully requests that Defendants, **NUMBER ONE EXPEDITE LEASING, INC.**

AND JOSE LUIS MORALES MACIAS, be cited to appear and answer, and on final trial, that Plaintiffs have judgment against Defendants for:

- i. Actual damages;
- ii. Prejudgment and post judgment interest as allowed by law;
- iii. Costs of suit;
- iv. Exemplary damages; and
- v. Any further relief, either in law or equity, to which Plaintiff is justly entitled.

Respectfully submitted,
GENTHE LAW FIRM, P.C.



BY: _____
AARON L. GENTHE
State Bar No. 24093610
efile@genthelawfirm.com
REBECCA RUTAN
State Bar No. 24121099
efile@genthelawfirm.com
12801 N. Central Expy., Ste. 260
Dallas, Texas 75243
Tel.: (214)957-0898
Fax: (469)788-7645
ATTORNEYS FOR PLAINTIFFS

Respectfully submitted,
SALAM AND ASSOCIATES

/s/Fatima Hassan Salam
BY: _____
FATIMA HASSAN SALAM
State Bar No. 09201940
attorney@salampc.com
701 N. Central Expwy, Bldg 2
Richardson, Texas 75080
Tel.: (972)437-1900
Fax: (972)437-2027
ATTORNEY FOR PLAINTIFFS

CAUSE NO. 2021DCV1307

DANIELA CALDERON
Plaintiff,

IN THE DISTRICT COURT

v.

448TH JUDICIAL DISTRICT

JOSE LUIS MORALES MACIAS AND,
NUMBER ONE EXPEDITE LEASING,
INC.,
Defendants.

EL PASO COUNTY, TEXAS

PLAINTIFF'S RESPONSES AND OBJECTIONS TO DEFENDANT'S REQUESTS
FOR ADMISSIONS

TO: NUMBER ONE EXPEDITE LEASING, INC., by and through their attorney of record. Darryl Vereen, MOUNCE, GREEN, MYERS, SEFI, PAXSON & GALATZAN, 100 North Stanton, Suite 1000, El Paso, TX 79999

COMES NOW, Plaintiff, **DANIELA CALDERON**, in the above-entitled and numbered cause, and pursuant to Rule 198, *et seq.* of the Texas Rules of Civil Procedure, serves the following Plaintiff's Responses and Objections to Defendant's Requests for Admissions.

Respectfully submitted,

GENTHE LAW FIRM, P.C.



BY: _____

Aaron Genthe
SBN: 24093610
efile@genthelawfirm.com
Rebecca Rutan
efile@genthelawfirm.com
SBN: 24121099
12801 N. Central Expressway, Ste. 260
Dallas, TX 75243
Tel. (214) 957-0898
Fax: (469) 788-7645
ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

I certify that a true copy of the above was served on counsel of record in accordance with the Texas Rules of Civil Procedure on 2022-03-02.

Via E-Service

Darryl Vereen
MOUNCE, GREEN, MYERS, SEFI, PAXSON & GALATZAN
100 North Stanton, Suite 1000
El Paso, TX 79999
Tel: (915) 541-1554 / Fax: (915) 541-1597
Attorney for Defendant,
Number One Expedite Leasing, Inc.



Rebecca Rutan

**PLAINTIFF'S RESPONSES AND OBJECTIONS TO DEFENDANT'S REQUESTS
FOR ADMISSIONS**

REQUEST FOR ADMISSION NO. 1:

Admit that you were a citizen of the State of Texas at the time that you filed this lawsuit.

RESPONSE: Admit

REQUEST FOR ADMISSION NO. 2:

Admit that you are currently a citizen of the State of Texas.

RESPONSE: Admit

REQUEST FOR ADMISSION NO. 3:

Admit that you were not a citizen of any other state at the time you filed this lawsuit.

RESPONSE: Deny

REQUEST FOR ADMISSION NO. 4:

Admit that you lived in the State of Texas at the time that you filed this lawsuit.

RESPONSE: Admit

REQUEST FOR ADMISSION NO. 5:

Admit that you currently live in the State of Texas.

RESPONSE: Admit

REQUEST FOR ADMISSION NO. 6:

Admit that you intend to return to the State of Texas when you are away.

RESPONSE: Objection, ambiguous and not relevant. Plaintiff cannot answer this request as worded.

REQUEST FOR ADMISSION NO. 7:

Admit you are currently employed in the State of Texas.

RESPONSE: Admit

REQUEST FOR ADMISSION NO. 8:

Admit that you had a Texas driver's license or identification card at the time you filed this lawsuit.

RESPONSE: Admit

REQUEST FOR ADMISSION NO. 9:

Admit that you currently have a Texas driver's license or identification card.

RESPONSE: Admit

REQUEST FOR ADMISSION NO. 10:

Admit that you were registered to vote in the State of Texas at the time you filed this lawsuit.

RESPONSE: Objection, relevance.

REQUEST FOR ADMISSION NO. 11:

Admit that you are currently registered to vote in the State of Texas.

RESPONSE: Objection, relevance.

Filed on April 23, 2021
2:30 PM
Norma Favela Barceleau
District Clerk
El Paso County, Texas
Aguirre, Clarisa

THE STATE OF TEXAS

NOTICE TO DEFENDANT: "You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. In addition to filing a written answer with the clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than 30 days after you file your answer with the clerk. Find out more at TexasLawHelp.org"

TO: **JOSE LUIS MORALES MACIAS**, who may be served with process by serving the Chair of the Texas Transportation Commission, **BRUCE BUGG, JR., CHAIRMAN at 125 E. 11TH STREET, AUSTIN, TX 78701-2483** who shall then forward the pleading and citation to **JOSE LUIS MORALES MACIAS at REVOLUCION, COL., CENTENARIO AVE., JUAREZ, MEXICO 32663** or wherever he/she may be found

Greetings:

You are hereby commanded to appear by filing a written answer to the **Plaintiff's Original Petition** at or before ten o'clock A.M. of the Monday next after the expiration of twenty days after the date of service of this citation before the Honorable **448th Judicial District Court**, El Paso County, Texas, at the Court House of said County in El Paso, Texas.

Said Plaintiff's Petition was filed in said court on this the 20th day of April, 2021 by Attorney at Law, AARON L. GENTHE, 12801 N. CENTRAL EXPRESSWAY, SUITE 260, DALLAS, TX 75243, in this case numbered **2021DCV1307** on the docket of said court, and styled:

DANIELA CALDERON
VS
NUMBER ONE EXPEDITE LEASING, INC. AND JOSE LUIS MORALES MACIAS

The nature of Plaintiff's demand is fully shown by a true and correct copy of the **Plaintiff's Original Petition** accompanying this citation and made a part hereof.

The officer executing this writ shall promptly serve the same according to requirements of law, and the mandates thereof, and make due return as the law directs.

Issued and given under my hand and seal of said Court at El Paso, Texas, on this the 23rd day of April, 2021.

CLERK OF THE COURT

NORMA FAVELA BARCELEAU
District Clerk
El Paso County Courthouse
500 E. San Antonio Ave, RM 103
El Paso, Texas 79901



Attest: NORMA FAVELA BARCELEAU District Clerk
El Paso County, Texas

By: , Deputy
Clarisa Aguirre

Rule 106: "-the citation shall be served by the officer delivering to each defendant, in person, a true copy of the citation with the date of delivery endorsed thereon and with a copy of the petition attached thereto."

RETURN

Came on hand on _____ day of _____, 20____, at _____ o'clock _____ M., and executed in _____ County, Texas, by delivering to each of the within-named defendants, in person, a true copy of this Citation, having first endorsed thereon the date of delivery, together with the accompanying true and correct copy of the **Plaintiff's Original Petition**, at the following times and places, to-wit:

NAME	DATE			TIME			Place, and Course and Distance
	MONTH	DAY	YEAR	Hour	Min.	____.M.	From Court House

And not executed as to the defendant, _____

The diligence used in finding said defendant, being _____

And the cause of failure to execute this process is: _____

And the information received as to the whereabouts of the said defendant, being _____

FEES—SERVING ____ copy ____ \$ _____ Sheriff
 _____ County, Texas

Total _____ \$ _____ by _____, Deputy

CERTIFICATE OF DELIVERY

I do hereby certify that I delivered to _____,

_____ on the _____ day of _____,

20____, at _____ o'clock ____m. this copy of this instrument.

_____, Sheriff/Agent

_____, County, Texas

By _____, Deputy/Agent

SUBSCRIBED AND SWORN TO BEFORE ME ON THE _____ DAY OF _____, 20____.

(SEAL)

NOTARY PUBLIC, STATE OF TEXAS

TEXAS TRANSPORTATION COMMISSION CHAIRMAN'S CERTIFICATE

NO. 20221DCV1307

DANIELA CALDERON

VS.

NUMBER ONE EXPEDITE LEASING, INC.
AND JOSE LUIS MORALES MACIAS

§
§
§
§
§

IN THE DISTRICT COURT

448TH JUDICIAL

EL PASO COUNTY, TEXAS

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW J. Bruce Bugg, Jr., Chairman of the Texas Transportation Commission,
and Certifies to the court as follows:

That on May 3, 2021, I was duly served with Citation and copy of Plaintiff's Original
Petition in the above styled and numbered cause, which I immediately caused to be forwarded
by U.S. Registered Mail, Registered number RA 662980 627 US addressed to Jose Luis
Morales Macias, Revolucion COL, Centenario Ave, Juarez, Mexico 32663 with postage prepaid,
return receipt requested;

In witness whereof, this certificate is issued in Austin, Texas, this 5th day of May, 2021.



A handwritten signature in blue ink, appearing to read "J. Bruce Bugg, Jr.", is written over a horizontal line.

Chairman, Texas Transportation Commission

Norma Favela Barcealeu
District Clerk
El Paso County
2021DCV1307

THE STATE OF TEXAS

NOTICE TO DEFENDANT: "You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. In addition to filing a written answer with the clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than 30 days after you file your answer with the clerk. Find out more at TexasLawHelp.org"

TO: **JOSE LUIS MORALES MACIAS**, who may be served with process by serving the Chair of the Texas Transportation Commission, **BRUCE BUGG, JR., CHAIRMAN** at **125 E. 11TH STREET, AUSTIN, TX 78701-2483** who shall then forward the pleading and citation to **JOSE LUIS MORALES MACIAS** at **REVOLUCION, COL., CENTENARIO AVE., JUAREZ, MEXICO 32663** or wherever he/she may be found

Greetings:

You are hereby commanded to appear by filing a written answer to the **Plaintiff's Original Petition** at or before ten o'clock A.M. of the Monday next after the expiration of twenty days after the date of service of this citation before the Honorable **448th Judicial District Court**, El Paso County, Texas, at the Court House of said County in El Paso, Texas.

Said Plaintiff's Petition was filed in said court on this the 20th day of April, 2021 by Attorney at Law, AARON L. GENTHE, 12801 N. CENTRAL EXPRESSWAY, SUITE 260, DALLAS, TX 75243, in this case numbered **2021DCV1307** on the docket of said court, and styled:

DANIELA CALDERON
VS
NUMBER ONE EXPEDITE LEASING, INC. AND JOSE LUIS MORALES MACIAS

The nature of Plaintiff's demand is fully shown by a true and correct copy of the **Plaintiff's Original Petition** accompanying this citation and made a part hereof.

The officer executing this writ shall promptly serve the same according to requirements of law, and the mandates thereof, and make due return as the law directs.


Issued and given under my hand and seal of said Court at El Paso, Texas, on this the 23rd day of April, 2021.

CLERK OF THE COURT

NORMA FAVELA BARCELEAU
District Clerk
El Paso County Courthouse
500 E. San Antonio Ave, RM 103
El Paso, Texas 79901



Attest: NORMA FAVELA BARCELEAU District Clerk
El Paso County, Texas

By: , Deputy
Clarisa Aguirre

Rule 106: "-the citation shall be served by the officer delivering to each defendant, in person, a true copy of the citation with the date of delivery endorsed thereon and with a copy of the petition attached thereto."

RETURN

Came on hand on 23rd day of April, 2021, at 6 o'clock P M., and executed in Travis County, Texas, by delivering to each of the within-named defendants, ~~in person~~, a true copy of this Citation, having first endorsed thereon the date of delivery, together with the accompanying true and correct copy of the **Plaintiff's Original Petition**, at the following times and places, to-wit:

NAME	DATE			TIME			Place, and Course and Distance
	MONTH	DAY	YEAR	Hour	Min.	M.	From Court House
<u>Jose Luis Morales</u>							
<u>Macias through</u>	<u>05</u>	<u>03</u>	<u>2021</u>	<u>7:00</u>	<u>AM</u>		<u>125 E 11th St</u>
<u>Texas Transportation</u>							<u>Austin, TX 78701</u>
<u>Commission</u>							<u>by ONRRR</u>
							<u>(7020-2450-0001-</u>
							<u>2415-41070)</u>

And not executed as to the defendant, _____

The diligence used in finding said defendant, being _____

And the cause of failure to execute this process is: _____

And the information received as to the whereabouts of the said defendant, being _____

FEES—SERVING _____ copy _____ \$ _____ Heather Bork Sheriff

Dallas County, Texas

Total 75 \$ _____ by Heather Bork Pct 8133 Deputy
Exp 2/28/22

CERTIFICATE OF DELIVERY

I do hereby certify that I delivered to _____,

_____ on the _____ day of _____,

20_____, at _____ o'clock ____m. this copy of this instrument.

_____, Sheriff/Agent

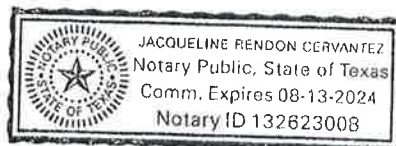
County, Texas

By Heather Bork Pct 8133 Deputy/Agent

Exp 2/28/22

SUBSCRIBED AND SWORN TO BEFORE ME ON THE 07 DAY OF May, 2021.

(SEAL)



Jacqueline Rendon
NOTARY PUBLIC, STATE OF TEXAS

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY																
<p>■ Complete items 1, 2, and 3.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>	<p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Receiver's Printed Name Randall Todd</p> <p>C. Date of Delivery 03 2021</p>																
<p>1. Article Addressed to:</p> <p>Jose Luis Morales Morales TEXAS TRANSPORTATION COMMISSION ATTN: CHAIRMAN 125 E. 11th STREET AUSTIN, TEXAS 78701-2483</p> <p>9590 9402 5651 9308 6189 56</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>																
<p>2. Article Number (Transfer from service label)</p> <p>7020 2450 0001 2415 4670</p>	<p>3. Service Type</p> <table border="0"> <tr> <td><input type="checkbox"/> Adult Signature</td> <td><input type="checkbox"/> Priority Mail Express®</td> </tr> <tr> <td><input type="checkbox"/> Adult Signature Restricted Delivery</td> <td><input type="checkbox"/> Registered Mail™</td> </tr> <tr> <td><input type="checkbox"/> Certified Mail®</td> <td><input type="checkbox"/> Registered Mail Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Certified Mail Restricted Delivery</td> <td><input type="checkbox"/> Return Receipt for Merchandise</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery</td> <td><input type="checkbox"/> Signature Confirmation™</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery Restricted Delivery</td> <td><input type="checkbox"/> Signature Confirmation Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Insured Mail</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Insured Mail Restricted Delivery over \$500</td> <td></td> </tr> </table>	<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®	<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™	<input type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery	<input type="checkbox"/> Certified Mail Restricted Delivery	<input type="checkbox"/> Return Receipt for Merchandise	<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation™	<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery	<input type="checkbox"/> Insured Mail		<input type="checkbox"/> Insured Mail Restricted Delivery over \$500	
<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®																
<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™																
<input type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery																
<input type="checkbox"/> Certified Mail Restricted Delivery	<input type="checkbox"/> Return Receipt for Merchandise																
<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation™																
<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery																
<input type="checkbox"/> Insured Mail																	
<input type="checkbox"/> Insured Mail Restricted Delivery over \$500																	

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

THE STATE OF TEXAS

NOTICE TO DEFENDANT: "You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. In addition to filing a written answer with the clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than 30 days after you file your answer with the clerk. Find out more at TexasLawHelp.org"

TO: **JOSE LUIS MORALES MACIAS**, who may be served with process by serving the Chair of the Texas Transportation Commission, **BRUCE BUGG, JR., CHAIRMAN at 125 E. 11TH STREET, AUSTIN, TX 78701-2483** who shall then forward the pleading and citation to **JOSE LUIS MORALES MACIAS at REVOLUCION, COL., CENTENARIO AVE., JUAREZ, MEXICO 32663** or wherever he/she may be found

Greetings:

You are hereby commanded to appear by filing a written answer to the **Plaintiff's Original Petition** at or before ten o'clock A.M. of the Monday next after the expiration of twenty days after the date of service of this citation before the Honorable **448th Judicial District Court**, El Paso County, Texas, at the Court House of said County in El Paso, Texas.

Said Plaintiff's Petition was filed in said court on this the 20th day of April, 2021 by Attorney at Law, AARON L. GENTHE, 12801 N. CENTRAL EXPRESSWAY, SUITE 260, DALLAS, TX 75243, in this case numbered **2021DCV1307** on the docket of said court, and styled:

DANIELA CALDERON
VS
NUMBER ONE EXPEDITE LEASING, INC. AND JOSE LUIS MORALES MACIAS

The nature of Plaintiff's demand is fully shown by a true and correct copy of the **Plaintiff's Original Petition** accompanying this citation and made a part hereof.

The officer executing this writ shall promptly serve the same according to requirements of law, and the mandates thereof, and make due return as the law directs.

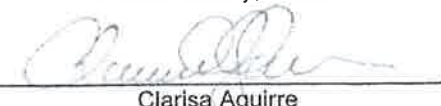
Issued and given under my hand and seal of said Court at El Paso, Texas, on this the 23rd day of April, 2021.

CLERK OF THE COURT

NORMA FAVELA BARCELEAU
District Clerk
El Paso County Courthouse
500 E. San Antonio Ave, RM 103
El Paso, Texas 79901



Attest: NORMA FAVELA BARCELEAU District Clerk
El Paso County, Texas

By:  Deputy
Clarisa Aguirre

Rule 106: "the citation shall be served by the officer delivering to each defendant, in person, a true copy of the citation with the date of delivery endorsed thereon and with a copy of the petition attached thereto."

RETURN

Came on hand on 23rd day of April, 2021, at 6 o'clock P.M., and executed in Travis County, Texas, by delivering to each of the within-named defendants, ~~in person~~, a true copy of this Citation, having first endorsed thereon the date of delivery, together with the accompanying true and correct copy of the **Plaintiff's Original Petition**, at the following times and places, to-wit:

NAME	DATE	TIME	Place, and Course and Distance
	MONTH DAY YEAR	Hour Min. .M.	From Court House
<u>Jose Luis Morales</u>	<u>05-03-2021</u>	<u>7:00 AM</u>	<u>125 E 11th St</u>
<u>Macias through</u>			<u>Austin, TX 78701</u>
<u>Texas Transportation</u>			<u>by CNRRR</u>
<u>Commission</u>			<u>(7020-2450-0001-</u>
			<u>2415-41670)</u>

And not executed as to the defendant, _____

The diligence used in finding said defendant, being _____

And the cause of failure to execute this process is: _____

And the information received as to the whereabouts of the said defendant, being _____

FEES—SERVING _____ copy _____ \$ _____ Heather Bork Sheriff

Total 75 \$ _____ Dallas County, Texas
by Heather Bork Pct 8133 Deputy
Exp 2/28/22

CERTIFICATE OF DELIVERY

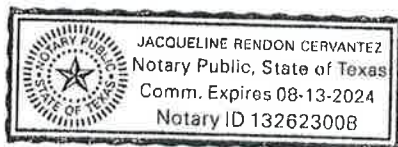
I do hereby certify that I delivered to _____

_____ on the _____ day of _____
20____, at _____ o'clock ____m. this copy of this Instrument.


_____, Sheriff/Agent
_____, County, Texas
By Heather Bork Pct 8133 Deputy/Agent
Exp 2/28/22

SUBSCRIBED AND SWORN TO BEFORE ME ON THE 07 DAY OF May, 2021.

(SEAL)



Jacqueline Rendon
NOTARY PUBLIC, STATE OF TEXAS

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY																
<p>■ Complete items 1, 2, and 3.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>	<p>A. Signature X <i>Randall Todd</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Receiver's Printed Name <i>Randall Todd</i></p> <p>C. Date of Delivery <i>3 2021</i></p>																
<p>1. Article Addressed to:</p> <p><i>Jose Luis Morales Morales</i> TEXAS TRANSPORTATION COMMISSION ATTN: CHAIRMAN 125 E. 11th STREET AUSTIN, TEXAS 78701-2483</p>  <p>9590 9402 5651 9308 6189 56</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If YES, enter delivery address below:</p>																
<p>2. Article Number (Transfer from service label)</p> <p>7020 2450 0001 2415 4670</p>	<p>3. Service Type</p> <table border="0"> <tr> <td><input type="checkbox"/> Adult Signature</td> <td><input type="checkbox"/> Priority Mail Express®</td> </tr> <tr> <td><input type="checkbox"/> Adult Signature Restricted Delivery</td> <td><input type="checkbox"/> Registered Mail™</td> </tr> <tr> <td><input type="checkbox"/> Certified Mail®</td> <td><input type="checkbox"/> Registered Mail Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Certified Mail Restricted Delivery</td> <td><input type="checkbox"/> Return Receipt for Merchandise</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery</td> <td><input type="checkbox"/> Signature Confirmation™</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery Restricted Delivery</td> <td><input type="checkbox"/> Signature Confirmation Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Insured Mail</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</td> <td></td> </tr> </table>	<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®	<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™	<input type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery	<input type="checkbox"/> Certified Mail Restricted Delivery	<input type="checkbox"/> Return Receipt for Merchandise	<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation™	<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery	<input type="checkbox"/> Insured Mail		<input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)	
<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®																
<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™																
<input type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery																
<input type="checkbox"/> Certified Mail Restricted Delivery	<input type="checkbox"/> Return Receipt for Merchandise																
<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation™																
<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery																
<input type="checkbox"/> Insured Mail																	
<input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)																	
<p>PS Form 3811, July 2015 PSN 7530-02-000-9053</p>	<p>Domestic Return Receipt</p>																



The State of Texas
Secretary of State

2021-327827-1

I, the undersigned, as Deputy Secretary of State of the State of Texas, DO HEREBY CERTIFY that according to the records of this office, a copy of the Citation and Plaintiff's Original Petition in the cause styled:

Daniela Calderon VS Number One Expedite Leasing Inc and Jose Luis Morales
Macias
448th Judicial District Court Of El Paso County, Texas
Cause No: 2021DCV1307


was received by this office on April 30, 2021, and that a copy was forwarded on May 11, 2021, by CERTIFIED MAIL, return receipt requested to:

Number One Expedite Leasing Inc
Registered Agent Carlos Alberto Noe
PO Box 71062
El Paso, TX 79917

As of this date, no response has been received in this office.



Date issued: July 14, 2021


Jose A. Esparza
Deputy Secretary of State
GF/mr

IN THE DISTRICT COURT OF EL PASO COUNTY, TEXAS

448TH JUDICIAL DISTRICT

DANIELA CALDERON,	§	
	§	
Plaintiff,	§	
	§	
v.	§	Cause No. 2021DCV1307
	§	
NUMBER ONE EXPEDITE LEASING,	§	
INC. AND JOSE LUIS MORALES	§	
MACIAS,	§	
	§	
Defendants.	§	

DEFENDANT NUMBER ONE EXPEDITE LEASING, INC.’S ORIGINAL ANSWER

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW NUMBER ONE EXPEDITE LEASING, INC., a Defendant in the above-entitled and numbered cause, and files its Original Answer in reply to Plaintiff’s Original Petition, and for answer says:

I.

Pursuant to Tex. R. Civ. P. 92, Defendant enters its general denial as to Plaintiff’s Petition and demands strict proof thereof.

II.

With regard to any allegation of negligence *per se*, Defendant would show that Defendants’ alleged acts or omissions were excused, as that term is defined and understood by law.

III.

Pursuant to Tex. R. Civ. P. 54 Defendant denies that any “conditions precedent” have occurred or have been performed. Plaintiff fails to identity what particular conditions are being referred to in this personal injury case. Plaintiff has yet to establish any of the requisites for

recovery including, but not limited to liability, causation and damages at this time.

IV.

Defendant would show that all or part of Plaintiff's claims are barred by Tex. Civ. Prac. & Rem. Code Ann. §41.0105 since Plaintiff may only recover medical expenses actually paid or incurred.

V.

Defendant would show that all or part of Plaintiff's alleged claims are barred by Tex. Civ. Prac. & Rem. Code Ann. § 18.091, since any evidence of wages or economic damages must be presented in an after-tax format.

VI.

Defendant would show that Plaintiff has failed to mitigate her alleged damages and injuries, if any, as that term is defined and understood by law.

VII.

With regard to any allegation of punitive or exemplary damages, Defendant invokes all caps and limitations set forth in Tex. Civ. Prac. & Rem. Code Ann. § 41.008 *et. seq.* Defendant would further show that the imposition of exemplary or punitive damages against Defendant would violate Defendant's rights under the Fifth, Eighth and Fourteenth Amendments to the United States Constitution, and other similar provisions of the Texas State Constitution. Defendant further objects to the assessment of any pre-judgment interest on any award of exemplary damages, or to being responsible for any exemplary damages not awarded against this specific Defendant pursuant to Tex. Civ. Prac. & Rem. Code Ann. §§ 41.006-007.

VIII.

Defendant requests trial by jury and reserves the right to amend.

WHEREFORE, PREMISES CONSIDERED, Defendant prays that upon final hearing that it be discharged and allowed to go hence without day and with its costs and that the Court grant Defendant such other and further relief, general or special, legal or equitable, to which Defendant may be justly entitled.

Respectfully submitted,

**MOUNCE, GREEN, MYERS
SAFI, PAXSON & GALATZAN, P.C.**
P.O. Drawer 1977
El Paso, Texas 79999-1977
Phone: (915) 532-2000
Fax: (915) 541-1597
E-Mail: vereen@mgmsg.com
E-Mail: mundell@mgmsg.com

By: 

Darryl S. Vereen
State Bar No. 00785148
Cal Mundell
State Bar No. 24109059

Attorneys for Defendant

CERTIFICATE OF SERVICE

In compliance with Texas Rule of Civil Procedure 21a (e), I, **Darryl S. Vereen**, hereby certify that on the 9 day of November, 2021, a true and correct copy of the foregoing document filed electronically with the clerk of the court in accordance with Texas Rule of Civil Procedure 21a (f)(1) is served on the following parties or attorney(s): Aaron L. Genthe, Esq., Rebecca Rutan, Esq., cfile@genthelawfirm.com, 12801 N. Central Expressway., Suite 260, Dallas, Texas 75243, and Fatima Hassan Salam, Esq., attorney@salampe.com, 701 N. Central Expressway, Building 2, Richardson, Texas 75080.


Darryl S. Vereen

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Isabel Olivares on behalf of Darryl Vereen
 Bar No. 00785148
 iolivares@mgmsg.com
 Envelope ID: 58977395
 Status as of 11/10/2021 9:37 AM MST

Associated Case Party: Daniela Calderon

Name	BarNumber	Email	TimestampSubmitted	Status
Aaron Genthe		efile@genthelawfirm.com	11/9/2021 8:11:13 AM	SENT
Fatima HassanSalam		attorney@salampc.com	11/9/2021 8:11:13 AM	SENT

Associated Case Party: Number One Expedite Leasing, Inc.

Name	BarNumber	Email	TimestampSubmitted	Status
Isabel Olivares		iolivares@mgmsg.com	11/9/2021 8:11:13 AM	SENT
Yolanda Pearson		ypearson@mgmsg.com	11/9/2021 8:11:13 AM	SENT
Cal Mundell		mundell@mgmsg.com	11/9/2021 8:11:13 AM	SENT
Darryl S.Vereen		vereen@mgmsg.com	11/9/2021 8:11:13 AM	SENT
Estella Wilcox		ewilcox@mgmsg.com	11/9/2021 8:11:13 AM	ERROR

CAUSE NO. 2021DCV1307

DANIELA CALDERON
Plaintiff,

IN THE DISTRICT COURT

v.

448TH JUDICIAL DISTRICT

JOSE LUIS MORALES MACIAS,
NUMBER ONE EXPEDITE LEASING,
INC.,
Defendants.

EL PASO COUNTY, TEXAS

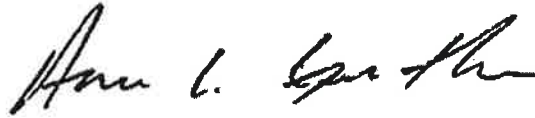
CERTIFICATE OF WRITTEN DISCOVERY

COMES NOW, Plaintiff, DANIELA CALDERON and files this, her Certificate of Written Discovery and would show that the following documents were served on all counsel of record.

1. Plaintiff's First Set of Interrogatories to Defendant, NUMBER ONE EXPEDITE LEASING, INC.; and
2. Plaintiff's First Requests for Production to Defendant, NUMBER ONE EXPEDITE LEASING, INC.

Respectfully submitted,

GENTHE LAW FIRM, P.C.



BY: _____

Aaron Genthe

SBN: 24093610

efile@genthelawfirm.com

Rebecca Rutan

efile@genthelawfirm.com

SBN: 24121099

12801 N. Central Expressway, Ste. 260

Dallas, TX 75243

Tel. (214) 957-0898

Fax: (469) 788-7645

ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

I certify that a true copy of the above was served on counsel of record in accordance with the Texas Rules of Civil Procedure on 2021-12-10.

Via E-Service

Darryl Vereen

MOUNCE, GREEN, MYERS, SEFI, PAXSON & GALATZAN

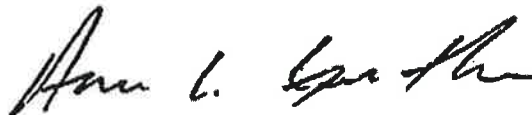
100 North Stanton, Suite 1000

El Paso, TX 79999

Tel: (915) 541-1554 / Fax: (915) 541-1597

Attorney for Defendant,

Number One Expedite Leasing, Inc.



Aaron Genthe

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Kristen Jennings on behalf of Aaron Genthe
 Bar No. 24093610
 kjennings@genthelawfirm.com
 Envelope ID: 59920445
 Status as of 12/10/2021 3:43 PM MST

Associated Case Party: Daniela Calderon

Name	BarNumber	Email	TimestampSubmitted	Status
Fatima HassanSalam		attorney@salampc.com	12/10/2021 1:31:08 PM	SENT
Aaron Genthe		efile@genthelawfirm.com	12/10/2021 1:31:08 PM	SENT

Associated Case Party: Number One Expedite Leasing, Inc.

Name	BarNumber	Email	TimestampSubmitted	Status
Darryl S.Vereen		vereen@mgmsg.com	12/10/2021 1:31:08 PM	SENT
Yolanda Pearson		ypearson@mgmsg.com	12/10/2021 1:31:08 PM	SENT
Cal Mundell		mundell@mgmsg.com	12/10/2021 1:31:08 PM	SENT
Isabel Olivares		iolivares@mgmsg.com	12/10/2021 1:31:08 PM	SENT
Estella Wilcox		ewilcox@mgmsg.com	12/10/2021 1:31:08 PM	ERROR

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Aaron Genthe		efile@genthelawfirm.com	12/10/2021 1:31:08 PM	SENT

IN THE DISTRICT COURT OF EL PASO COUNTY, TEXAS

448TH JUDICIAL DISTRICT

DANIELA CALDERON,	§	
	§	
Plaintiff,	§	
	§	
v.	§	Cause No. 2021DCV1307
	§	
NUMBER ONE EXPEDITE LEASING,	§	
INC. AND JOSE LUIS MORALES	§	
MACIAS,	§	
	§	
Defendants.	§	

NOTICE OF FILING RULE 11 AGREEMENT

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW NUMBER ONE EXPEDITE LEASING, INC., a Defendant in the above-

in the above-entitled and numbered cause, and would provide this its Notice of Filing Rule 11

Agreement and would show as follows:

I.

This Notice is filed pursuant to Rule 11 of the Texas Rules of Civil Procedure.

II.

Attached hereto as Exhibit 1 is a true and correct copy of a Rule 11 Agreement affecting

discovery.

WHEREFORE, PREMISES CONSIDERED, Defendant respectfully prays that the

Court and all parties take notice of the filing of the above-referenced Rule 11 agreement, and that

the Court enforce the same pursuant to Texas Rules of Civil Procedure, and grant Defendant such

other and further relief, general or special, legal or equitable, to which Defendant may be justly

entitled.

Respectfully submitted,

**MOUNCE, GREEN, MYERS
SAFI, PAXSON & GALATZAN, P.C.**

P.O. Drawer 1977

El Paso, Texas 79999-1977

Phone: (915) 532-2000

Fax: (915) 541-1597

E-Mail: vereen@mgmsg.com

E-Mail: mundell@mgmsg.com

By: 

Darryl S. Vereen

State Bar No. 00785148

Cal Mundell

State Bar No. 24109059

Attorneys for Defendant

CERTIFICATE OF SERVICE

In compliance with Texas Rule of Civil Procedure 21a (e), I, **Cal Mundell**, hereby certify that on the 13 day of January, 2022, a true and correct copy of the foregoing document filed electronically with the clerk of the court in accordance with Texas Rule of Civil Procedure 21a (f)(1) is served on the following parties or attorney(s): Aaron L. Genthe, Esq., Rebecca Rutan, Esq., efile@genthelawfirm.com, 12801 N. Central Expressway., Suite 260, Dallas, Texas 75243, and Fatima Hassan Salam, Esq., attorney@salampe.com, 701 N. Central Expressway, Building 2, Richardson, Texas 75080.


Cal Mundell

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Estella Wilcox on behalf of Cal Mundell
 Bar No. 24109059
 ewilcox@mgmsg.com
 Envelope ID: 60791230
 Status as of 1/13/2022 11:09 AM MST

Associated Case Party: Daniela Calderon

Name	BarNumber	Email	TimestampSubmitted	Status
Aaron Genthe		efile@genthelawfirm.com	1/13/2022 11:03:13 AM	SENT
Fatima HassanSalam		attorney@salampc.com	1/13/2022 11:03:13 AM	SENT

Associated Case Party: Number One Expedite Leasing, Inc.

Name	BarNumber	Email	TimestampSubmitted	Status
Darryl S.Vereen		vereen@mgmsg.com	1/13/2022 11:03:13 AM	SENT
Yolanda Pearson		ypearson@mgmsg.com	1/13/2022 11:03:13 AM	SENT
Cal Mundell		mundell@mgmsg.com	1/13/2022 11:03:13 AM	SENT
Isabel Olivares		iolivares@mgmsg.com	1/13/2022 11:03:13 AM	SENT
Estella Wilcox		ewilcox@mgmsg.com	1/13/2022 11:03:13 AM	ERROR

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Aaron Genthe		efile@genthelawfirm.com	1/13/2022 11:03:13 AM	SENT



MOUNCE, GREEN, MYERS,
SAFI, PAXSON & GALATZAN
A PROFESSIONAL CORPORATION
ATTORNEYS AND COUNSELORS AT LAW
100 N. STANTON ST.
SUITE 1000
EL PASO, TEXAS 79901-1448
(915) 532-2000

CAL MUNDELL
Attorney and Counselor at Law

MAILING ADDRESS:
P.O. BOX 1977
EL PASO, TEXAS 79999-1977
FACSIMILE (915) 541-1597

mundell@mgmsg.com

January 12, 2022

VIA E-MAIL: kjennings@genthelawfirm.com

Mr. Aaron L. Genthe
Attorney at Law
1208 N. Central Expy., Ste. 260
Dallas, Texas 75243

Re: *Daniela Calderon vs. Number One Expedite Leasing, Inc. and Jose Luis Morales Macias*; Cause No. 2021DCV1307, In the 448th District Court of El Paso County, Texas

Dear Mr. Genthe:

This letter will confirm your agreement to extend Defendant's time to respond and object to Plaintiff's Interrogatories and Request for Production. With your agreement, Defendant's objections and responses will be due Wednesday, January 26, 2022.

To confirm your agreement, please sign below and return same to our office. We will file the written agreement pursuant to Texas Rule of Civil Procedure 11.

Very truly yours,

Cal Mundell

BCM/yp

Aaron L. Genthe
Attorney for Plaintiff

Date: 01/12/2022

0013463/00199/YPEA/1656439



IN THE DISTRICT COURT OF EL PASO COUNTY, TEXAS

448TH JUDICIAL DISTRICT

DANIELA CALDERON,

Plaintiff,

v.

NUMBER ONE EXPEDITE LEASING,
INC. AND JOSE LUIS MORALES
MACIAS,

Defendants.

§
§
§
§
§
§
§
§
§
§

Cause No. 2021DCV1307

CERTIFICATE OF WRITTEN DISCOVERY

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW NUMBER ONE EXPEDITE LEASING, INC., a Defendant in the above-entitled and numbered cause, and submits its Certificate of Written Discovery regarding the following written discovery requests:

1. Defendant Number One Expedite Leasing, Inc.'s First Requests for Admission to Plaintiff, served on January 17, 2022; and
2. Defendant Number One Expedite Leasing, Inc.'s Interrogatories and Request for Production to Plaintiff served on January 17, 2022.

WHEREFORE PREMISES CONSIDERED, Defendant respectfully prays that the Court and all parties take notice of the above and foregoing Certificate, and service of the above-referenced discovery requests, and that the Court grant Defendant such other and further relief, general or special, legal or equitable, to which Defendant may be justly entitled.

Respectfully submitted,

**MOUNCE, GREEN, MYERS
SAFI, PAXSON & GALATZAN, P.C.**
P.O. Drawer 1977
El Paso, Texas 79999-1977
Phone: (915) 532-2000
Fax: (915) 541-1597
E-Mail: vereen@mmsg.com
E-Mail: mundell@mmsg.com

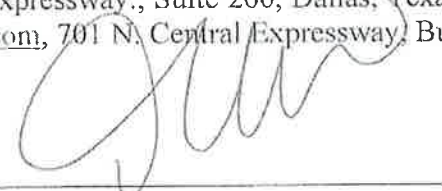
By: 

Darryl S. Vereen
State Bar No. 00785148
Cal Mundell
State Bar No. 24109059

Attorneys for Defendant

CERTIFICATE OF SERVICE

In compliance with Texas Rule of Civil Procedure 21a (e), I, **Darryl S. Vereen**, hereby certify that on the 28 day of January, 2022, a true and correct copy of the foregoing document filed electronically with the clerk of the court in accordance with Texas Rule of Civil Procedure 21a (f)(1) is served on the following parties or attorney(s): Aaron L. Genthe, Esq., Rebecca Rutan, Esq., efile@genthelawfirm.com, 12801 N. Central Expressway., Suite 260, Dallas, Texas 75243, and Fatima Hassan Salam, Esq., attorneyv@salampc.com, 701 N. Central Expressway, Building 2, Richardson, Texas 75080.



Darryl S. Vereen

Automated Certificate of eService

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Isabel Olivares on behalf of Darryl Vereen
 Bar No. 00785148
 iolivares@mgmsg.com
 Envelope ID: 61145788
 Status as of 1/26/2022 8:52 AM MST

Associated Case Party: Number One Expedite Leasing, Inc.

Name	BarNumber	Email	TimestampSubmitted	Status
Darryl S.Vereen		vereen@mgmsg.com	1/25/2022 4:19:57 PM	SENT
Yolanda Pearson		ypearson@mgmsg.com	1/25/2022 4:19:57 PM	SENT
Cal Mundell		mundell@mgmsg.com	1/25/2022 4:19:57 PM	SENT
Isabel Olivares		iolivares@mgmsg.com	1/25/2022 4:19:57 PM	SENT
Estella Wilcox		ewilcox@mgmsg.com	1/25/2022 4:19:57 PM	ERROR

Associated Case Party: Daniela Calderon

Name	BarNumber	Email	TimestampSubmitted	Status
Aaron Genthe		efile@genthelawfirm.com	1/25/2022 4:19:57 PM	SENT
Fatima HassanSalam		attorney@salampc.com	1/25/2022 4:19:57 PM	SENT

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Aaron Genthe		efile@genthelawfirm.com	1/25/2022 4:19:57 PM	SENT

448TH JUDICIAL DISTRICT

[illegible]

WHEREFORE PREMISES CONSIDERED, Defendant respectfully prays that the Court and all parties take notice of the above and foregoing Certificate, and service of the above-referenced discovery responses, and that the Court grant Defendant such other and further relief, general or special, legal or equitable, to which Defendant may be justly entitled.

Respectfully submitted,

**MOUNCE, GREEN, MYERS
SAFI, PAXSON & GALATZAN, P.C.**

P.O. Drawer 1977

El Paso, Texas 79999-1977

Phone: (915) 532-2000

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E-Mail: vereen@mgmsg.com

E-Mail: mundell@mgmsg.com

By: 

Darryl S. Vereen

State Bar No. 00785148

Cal Mundell

State Bar No. 24109059

Attorneys for Defendant

CERTIFICATE OF SERVICE

In compliance with Texas Rule of Civil Procedure 21a (e), I, **Cal Mundell**, hereby certify that on the 26 day of January, 2022, a true and correct copy of the foregoing document filed electronically with the clerk of the court in accordance with Texas Rule of Civil Procedure 21a (f)(1) is served on the following parties or attorney(s): Aaron L. Genthe, Esq., Rebecca Rutan, Esq., efile@genthelawfirm.com, 12801 N. Central Expressway., Suite 260, Dallas, Texas 75243, and Fatima Hassan Salam, Esq., attorney@salampc.com, 701 N. Central Expressway, Building 2, Richardson, Texas 75080.


Cal Mundell

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Yolie Pearson on behalf of Cal Mundell
 Bar No. 24109059
 ypearson@mgmsg.com
 Envelope ID: 61190791
 Status as of 1/27/2022 8:24 AM MST

Associated Case Party: Number One Expedite Leasing, Inc.

Name	BarNumber	Email	TimestampSubmitted	Status
Darryl S.Vereen		vereen@mgmsg.com	1/26/2022 5:58:04 PM	SENT
Yolanda Pearson		ypearson@mgmsg.com	1/26/2022 5:58:04 PM	SENT
Cal Mundell		mundell@mgmsg.com	1/26/2022 5:58:04 PM	SENT
Isabel Olivares		iolivares@mgmsg.com	1/26/2022 5:58:04 PM	SENT
Estella Wilcox		ewilcox@mgmsg.com	1/26/2022 5:58:04 PM	ERROR

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Aaron Genthe		efile@genthelawfirm.com	1/26/2022 5:58:04 PM	SENT

Associated Case Party: Daniela Calderon

Name	BarNumber	Email	TimestampSubmitted	Status
Aaron Genthe		efile@genthelawfirm.com	1/26/2022 5:58:04 PM	SENT
Fatima HassanSalam		attorney@salampc.com	1/26/2022 5:58:04 PM	SENT

CAUSE NO. 2021DCV1307

DANIELA CALDERON
Plaintiff,

v.

JOSE LUIS MORALES MACIAS,
NUMBER ONE EXPEDITE LEASING,
INC.,
Defendants.

IN THE DISTRICT COURT

448TH JUDICIAL DISTRICT

EL PASO COUNTY, TEXAS

CERTIFICATE OF WRITTEN DISCOVERY

COMES NOW, Plaintiff, DANIELA CALDERON and files this, her Certificate of Written Discovery and would show that the following documents were served on all counsel of record.

1. Plaintiff's Answers and Objections to Defendant's Interrogatories;
2. Plaintiff's Responses and Objections to Defendant's Requests for Production; and
3. Plaintiff's Responses and Objections to Defendant's Requests for Admissions.

Respectfully submitted,

GENTHE LAW FIRM, P.C.



BY: _____

Aaron Genthe
SBN: 24093610
efile@genthelawfirm.com
Rebecca Rutan
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12801 N. Central Expressway, Ste. 260
Dallas, TX 75243
Tel. (214) 957-0898
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ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

I certify that a true copy of the above was served on counsel of record in accordance with the Texas Rules of Civil Procedure on 2022-03-02.

Via E-Service

Darryl Vereen
MOUNCE, GREEN, MYERS, SEFI, PAXSON & GALATZAN
100 North Stanton, Suite 1000
El Paso, TX 79999
Tel: (915) 541-1554 / Fax: (915) 541-1597
Attorney for Defendant,
Number One Expedite Leasing, Inc.



Rebecca Rutan

Automated Certificate of eService

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Kristen Jennings on behalf of Aaron Genthe
 Bar No. 24093610
 kjennings@genthelawfirm.com
 Envelope ID: 62248044
 Status as of 3/3/2022 8:20 AM MST

Associated Case Party: Daniela Calderon

Name	BarNumber	Email	TimestampSubmitted	Status
Aaron Genthe		efile@genthelawfirm.com	3/2/2022 10:39:30 PM	SENT
Fatima HassanSalam		attorney@salampc.com	3/2/2022 10:39:30 PM	SENT

Associated Case Party: Number One Expedite Leasing, Inc.

Name	BarNumber	Email	TimestampSubmitted	Status
Darryl S.Vereen		vereen@mgmsg.com	3/2/2022 10:39:30 PM	SENT
Yolanda Pearson		ypearson@mgmsg.com	3/2/2022 10:39:30 PM	SENT
Cal Mundell		mundell@mgmsg.com	3/2/2022 10:39:30 PM	SENT
Isabel Olivares		iolivares@mgmsg.com	3/2/2022 10:39:30 PM	SENT
Estella Wilcox		ewilcox@mgmsg.com	3/2/2022 10:39:30 PM	SENT

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Aaron Genthe		efile@genthelawfirm.com	3/2/2022 10:39:30 PM	SENT